

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	NO. 3:15-cr-00056-1
)	JUDGE CRENSHAW
WALTON MICHAEL WAND,)	
)	
Defendant.)	

ORDER

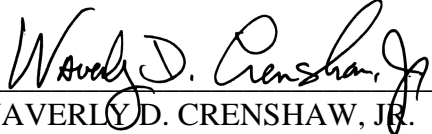
Pending before the Court is Defendant Walton Michael Wand’s Motion to Continue Filing Deadlines and to Continue the Trial (Doc. No. 140) set for February 28, 2017. Defendant seeks more time to review discovery. The Defendant has also filed a Waiver of Speedy Trial Rights. (Doc. No. 141.) The Government opposes a continuance, noting that this is the sixth time Defendant has requested to continue the trial date in this action. (Doc. No. 142 at 1-2.) The Government argues that it has spent “a considerable amount of time and resources” to prepare for trial, and that the Defendant has not demonstrated good cause to continue the trial. (*Id.* at 2-3.)

“The matter of a continuance is within the discretion of the trial judge.” *United States v. Crawford*, 60 F.App’x 520, 526 (6th Cir. 2003) (quoting *United States v. King*, 127 F.3d 483, 486-87 (6th Cir. 1997)). Here, the Defendant’s counsel entered an appearance on his behalf on July 14, 2016. (Doc. No. 90.) The Government notes that Defendant “has been in possession of the bulk of discovery for well over a year” (Doc. No. 142 at 3), and Defendant states that the Government “has been forthcoming and courteous in providing discovery.” (Doc. No. 140 at ¶ 3.) Thus, the Court finds that Defendant will not be prejudiced by denial of the motion to continue, as Defendant has had “the reasonable time necessary for effective preparation, taking into account the exercise

of due diligence.” See 18 U.S.C. § 3161(h)(7)(B)(iv). The Court also finds that the interests of justice served by granting the continuance do not outweigh the interests of the public and the Defendant in a speedy trial on the date previously scheduled. See id. § 3161(h)(7)(A),(B).

Accordingly, Defendant’s Motion (Doc. No. 140) is **DENIED** and the trial date and filing deadlines remain in effect.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
UNITED STATES DISTRICT JUDGE